

**REMARKS**

**Status of the Application**

Prior to this amendment, claims 1-26 were pending. Claims 1, 4, 8-14, 18 and 22-26 have been amended. Claims 2 and 3 have been canceled. Claim 27 has been added. Therefore, claims 1 and 4-27 remain pending for examination. Applicant respectfully requests reconsideration of this application as amended and in light of the remarks herein.

The Office Action has objected to the specification because it exceeds the 150 word limit under MPEP §608.01(b).

The Office Action has rejected claims 1, 14 and 18-21 under 35 U.S.C. §102(e) as being anticipated by the cited portions of U.S. Patent No. 7,092,044 to Inui et al. (“Inui”).

The Office Action has rejected claims 4, 5, 8, 11-13, 17, 22, 24 and 25 under 35 U.S.C. §103(a) as being unpatentable over Inui in view of the cited portions of U.S. Patent 5,966,186 to Shigihara (“Shigihara”).

The Office Action has rejected claims 6 and 7 under 35 U.S.C. §103(a) as being unpatentable over Inui in view of Shigihara, and further in view of the cited portions of U.K. Patent Application GB 2,348,330 to Kim (“Kim”).

The Office Action has rejected claim 9 under 35 U.S.C. §103(a) as being unpatentable over Inui in view of Shigihara, and further in view of the cited portions of U.S. Patent 5,574,495 to Caporizzo (“Caporizzo”).

The Office Action has rejected claim 10 under 35 U.S.C. §103(a) as being unpatentable over Inui in view of Shigihara, and further in view of the cited portions of U.S. Patent 6,067,332 to Taura et al. (“Taura”).

The Office Action has rejected claims 15 and 16 under 35 U.S.C. §103(a) as being unpatentable over Inui in view of the cited portions of U.S. Patent 6,137,546 to Shintani et al. (“Shintani”).

The Office Action has rejected claims 23 and 26 under 35 U.S.C. §103(a) as being unpatentable over Inui in view of Shigihara, and further in view of the cited portions of U.S. Patent Publication 2002/0140871 to Piotrowski et al. (“Piotrowski”).

### Amendments

#### Abstract

The Abstract has been amended to reduce the total number of words to 150 or less. Applicant respectfully submits that no new matter is added by these amendments.

#### Claims 1, 22, 25 and 26

Claims 1, 22, 25 and 26 have been amended to include various recitations previously found in original claims 2 and 3, as well as recitations of “Virtual Channel Table (‘VCT’) information.” These amendments are supported throughout the specification, and for example at paragraphs 30, 33, 38 and 46. Therefore, Applicant respectfully submits that no new matter is added by these amendments.

#### Claim 11

Claim 11 has been amended to include recitations of “Virtual Channel Table (‘VCT’) information,” because this claim now depends from claim 1, which has also been amended in a similar fashion. Furthermore, Applicant has amended claim 11 to clarify the embodiment claimed therein. This amendment is supported throughout the specification, and for example at paragraphs 30, 33, 38 and 46

#### Claims 4, 8-10, 12-14, 18, 23 and 24

Claims 4, 8-10, 12-14, 18, 23 and 24 have been amended to include recitations of “VCT information,” because these claims now depend from claims 1 or 22, which have also

been amended in a similar fashion. These amendments are supported throughout the specification, and for example at paragraphs 30, 33, 38, 46 and 48. Therefore, Applicant respectfully submits that no new matter is added by this amendment.

Claim 27

Claim 27 has been newly added. Support for this new claim may be found throughout the specification, and for example at figures 4 and 5 and the discussion thereof. Therefore, Applicant respectfully submits that no new matter is added by these amendments.

**Remarks**

Abstract

The Abstracts stand objected to as exceeding the 150 word limit under MPEP §608.01(b). The Abstract has been amended to reduce the total number of words to 150 or less. Therefore, Applicant respectfully submits that the objection to the Abstract is now moot and requests that the objection thereto be withdrawn.

Claim 1

Claim 1 stands rejected as being anticipated by Inui. Claim 1 has been amended to recite, in part,

“a second judging unit configured to judge whether or not Virtual Channel Table (“VCT”) information included in the digital broadcasting signal can be extracted, when it is judged in the first judging unit that the signal extracted by the tuner unit includes the digital broadcasting signal;

a program information obtaining unit configured to extract VCT information included in the digital broadcasting signal from the signal extracted by the tuner unit and processed by the first judging unit, when it is judged in the first judging unit that the signal extracted by the tuner unit includes the digital broadcasting signal and the second judging unit that the VCT information included in the digital broadcasting signal can be extracted; and

a memory unit configured to store a judgment result in the first judging unit and the VCT information of the digital broadcasting signal obtained by the program information obtaining unit.”

To anticipate a claim, a reference must teach every recitation of the claim. Because Inui does not teach the above recitations, Inui cannot anticipate claim 1. Specifically, Inui does not teach VCT information and associated recitations including (1) judging whether or not VCT information is included in a digital broadcasting signal, (2) judging whether or not the VCT information may be extracted, and (3) extracting VCT information based on those judgments. Therefore, Applicant respectfully requests withdrawal of the §102 rejection of claim 1.

The amended recitations of claim 1 also include some recitations similar to those previously found in now canceled claims 2 and 3. Claims 2 and 3 were previously rejected as being obvious over Inui in view of Shigihara. For a prima facie case of obviousness to be established in regards to a claim, a combination of references must teach or suggest every recitation of the claim, or such recitations must be shown to have been known by those skilled in the art at the time of the invention. Because Inui and Shigihara do not teach or suggest all of the above recitations, Applicant respectfully traverses any rejection of claims 2 and 3 which may now be applied to claim 1. Specifically, neither Inui nor Shigihara teach or suggest VCT information and associated recitations including (1) judging whether or not VCT information is included in a digital broadcasting signal, (2) judging whether or not the VCT information may be extracted, and (3) extracting VCT information based on those judgments.

While Shigihara does disclose analyzing signal quality data and determining whether or not to extract video and audio data based on that analysis (*see* col. 10, ll. 44-58), it does not teach or suggest the above recitations in regards to VCT information as recited in claim 1. Therefore, Inui and Shigihara do not teach or suggest all of the recitations of claim 1, and therefore cannot, by themselves, establish a prima facie case of obviousness with regard to claim 1.

#### Claim 11

Claim 11 stands rejected as being obvious over Inui in view of Shigihara. Applicant has amended the claim to clarify the embodiment claimed therein. Specifically, claim 11 now recites, in part,

“when a physical channel selected from the memory unit has a signal which was judged in the first judging unit to include the digital broadcasting signal and which was judged in the second judging unit to contain VCT information that could not be extracted, *the program information obtaining unit is configured to newly obtain the VCT information which corresponds to the selected physical channel*” (emphasis added).

For a prima facie case of obviousness to be established in regards to a claim, a combination of references must teach or suggest every recitation of the claim, or such recitations must be shown to have been known by those skilled in the art at the time of the invention. Inui and Shigihara do not teach or suggest obtaining VCT information corresponding to a selected physical channel which has VCT information which previously could not be extracted as recited in claim 11. Instead, Inui only scans the “entire” broadcasting signal if so required (col. 5, ll. 28-31), but not individual channels with VCT information which was previously un-extractable. For at least the same reasons, Shigihara also does not teach or suggest such recitations, and Shigihara is not cited by the Office Action as teaching or suggesting such recitations.

Therefore, Inui and Shigihara do not teach or suggest all of the recitations of claim 11, and therefore cannot, by themselves, establish a prima facie case of obviousness with regard to claim. Furthermore, claim 11 depends from claim 1. Thus, Applicant respectfully requests withdrawal of the §103 rejection of claim 11.

#### Claim 19

Claim 19 stands rejected as being anticipated by Inui. Applicant respectfully traverses this rejection at least because Inui does not teach all of the recitations of Claim 19. Specifically, Inui does not teach “a program information obtaining unit configured to obtain

program information which identifies the program included in the signal that is extracted in the tuner unit[.]”

The Office Action cites element 6 of figure 1 of Inui as teaching the above recitation. However, element 6 of figure 1 of Inui is a transport stream (“TS”) analysis circuit which merely decodes image signals (col. 3, ll. 48-50). The TS analysis circuit and other components of Inui only generates and/or determines channel mapping information which includes frequency information, channel numbers, and virtual channel numbers (*see* col. 3, ll. 53-55). However, Inui does not discuss identification of a program on a given signal, as recited in claim 19. Therefore, Inui does not teach “a program information obtaining unit configured to obtain program information which identifies the program included in the signal that is extracted in the tuner unit[.]” Because Inui does not teach all of the limitations of claim 19, Inui cannot anticipate claim 19. Therefore, Applicant respectfully requests withdrawal of the §102 rejection of claim 19.

Claims 22, 25 and 26

Claims 22 and 25 stand rejected as being obvious over Inui in view of Shigihara. Claim 26 stands rejected as being obvious over Inui in view of Shigihara, and further view of Piotrowski.

Claims 22, 25 and 26 have been amended to include various recitations similar to those discussed above in regards to claim 1. For at least the same reasons discussed above, Inui and Shigihara cannot, by themselves, establish a prima facie case of obviousness with regards to these claims. In the case of claim 26, Piotrowski also does not teach or suggest such recitations, and therefore does not remedy the deficiencies of Inui and Shigihara. Therefore, Applicant respectfully requests the withdrawal of the §103 rejections of claims 22, 25 and 26.

Claims 4-10, 12-18, 20, 21, 23 and 24

Claims 4-10, 12-18, 20, 21, 23 and 24 each depend, either directly or indirectly, from one of claims 1, 19 and 22, and are therefore believed to be allowable at least by virtue of

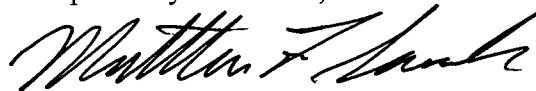
their dependence from an allowable base claim. Therefore, Applicant respectfully requests withdrawal of the §102 and §103 rejections of these claims.

**CONCLUSION**

For at least all of the foregoing reasons, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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